

# HOUSE . . . . . No. 44

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Message from His Excellency the Governor recommending legislation relative to regionalizing housing authorities. Housing. January 10, 2013.

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## The Commonwealth of Massachusetts

EXECUTIVE DEPARTMENT

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DEVAL L. PATRICK

GOVERNOR

TIMOTHY P. MURRAY

LIEUTENANT GOVERNOR

January 10, 2013.

To the Honorable Senate and House of Representatives:

I am filing for your consideration the attached proposal, entitled “An Act to Regionalize Housing Authorities.”

The Commonwealth’s most vulnerable elders, families and people with special needs rely on our state public housing system for safe, decent and affordable housing. Public housing is the largest source of affordable housing for extremely low-income residents in the Commonwealth. Currently, 240 local housing authorities, each with their own executive directors and management operations, own and manage 80,000 federal and state funded units. The majority of housing authorities operate at a very small scale and most of the units are more than 60 years old. The combination of age and a lack of investment by prior Administrations, coupled with an inefficient and antiquated governance and operating system that dates back to the 1940s, has left much of the portfolio distressed and vulnerable.

While significant gains have been made to improve and preserve state-aided public housing under the leadership of the Patrick-Murray Administration, the fiscal and operational viability of the housing and the integrity of the public housing system still face significant difficulties. Further action is needed to increase transparency, accountability, performance, efficiency, innovation and cost savings in the state’s public housing system in order to better serve the families, elders and persons with special needs served by public housing.

The bill that I am filing today will transform the state's public housing system by consolidating the 240 local housing authorities into six Regional Housing Authorities (RHAs). The RHAs will assume ownership of all state and federal public housing assets, including land, buildings and equipment, and take over responsibility for fiscal and operational management. The six RHAs will each consist of one executive director, a governing board with diverse regional representation and regional property managers with a staff consisting of local site managers and maintenance staff. All regional and local staff will work for the RHA.

This consolidated system will produce efficiency and save the state millions of dollars by regionalizing key operations functions, including general administration functions, capital project management practices, and enhanced technical assistance. At the same time, the bill retains local control over significant public housing land use decisions, which include the sale or development of vacant land, or change of use of an existing building. RHAs will also be required to seek local input into an annual plan that outlines projected capital and operating expenditures and tenant participation activities.

As the Administration continues to invest in public housing, it is imperative that the delivery system be modernized in order to increase efficiency and transparency of local housing authorities and to ensure that we are meeting the goal of high-quality housing for low-income households. This regional system will ensure efficient use of taxpayer funds, strengthen transparency and accountability and ensure that we are meeting the goal of high-quality housing for low-income households. Accordingly, I urge your prompt and favorable consideration of this bill.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Deval Patrick", with a stylized flourish at the end.

DEVAL L. PATRICK,

# HOUSE . . . . . No. 44

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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An Act to regionalize housing authorities.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 1 of chapter 121B of the General Laws, as appearing in the 2010 Official  
2 Edition, is hereby amended by striking out the words “‘Housing authority’, a public body politic  
3 and corporate created pursuant to section three or corresponding provisions of earlier laws” and  
4 inserting in place thereof the following:- “‘Housing authority’, a public body politic and  
5 corporate created pursuant to section 3.”

6 SECTION 2. Said section 1 of said chapter 121B, as so appearing, is hereby further amended by  
7 inserting after the definition of “housing project” the following: “‘Local housing commission’, a  
8 body established under section 3A, or otherwise the city or town’s planning board, or such entity  
9 that has been granted the powers of a planning board.”

10 SECTION 3. Said section 1 of said chapter 121B, as so appearing, is hereby further amended by  
11 inserting after the definition of “mayor” the following: “‘Municipal housing authority’, a housing  
12 authority or regional housing authority existing under general or special law prior to July 1,  
13 2014.”

SECTION 4. Said section 1 of said chapter 121B, as so appearing, is hereby further amended by inserting after the definition of “redevelopment authority” the following words: “‘Region’, the geographic area designated by the department as the operating jurisdiction of a housing authority.’”

SECTION 5. Said chapter 121B of the General Laws, as so appearing, is hereby amended by striking out section 3 and inserting in place thereof the following:-

Section 3. Housing authorities; board; appointment; term of office; dissolution.

(a) Notwithstanding any general or special law to the contrary, there shall be in the commonwealth 6 housing authorities, each of which shall operate within a geographic area defined by the department, one of which shall be Suffolk County. In defining the regions, the department shall consider factors that enhance operational and cost efficiencies of property operations, including but not limited to: the number of units and communities in each region; that the communities in each region are proximate to each other; and the proximity of the housing units in a region.

(b) Each housing authority shall have a board, with duties and powers established by this chapter, which shall govern the housing authority.

(c) Each housing authority board shall consist of 9 members comprised as follows, each of whom shall reside in the region for which they are appointed:

1) 3 members appointed by the governor, each of whom shall have expertise in multi-family property operations; the initial terms of such appointees shall be for 1, 3 and 5 year terms, respectively, as he may designate;

(2) 3 members appointed by the governor from a list of names comprised of not more than 1 nominee submitted by the municipal officials of each municipality within the region, each of whom shall be qualified if they have expertise in multi-family property operations; if no qualified nominees are submitted within 60 days after a vacancy occurs or if fewer than 3 individuals so qualified are nominated, the governor shall appoint up to 3 qualified residents of his choosing to the board; the initial terms of such appointees shall be for 2, 4 and 5 year terms, respectively, as he may designate;

(3) 2 members who shall be tenants appointed by the governor from a list of names comprised of not more than 1 nominee submitted by each tenant organization in a building owned by the housing authority and duly recognized pursuant to the regulations and requirements of the department or the United States Department of Housing and Urban Development, each of whom shall be qualified if they are a member of a tenant household that is current on rental charges and eligible for continued occupancy; 1 of whom is a resident in a federally- assisted housing project owned by the authority, if any, and at least 1 of whom shall be a resident of state-assisted housing owned by the authority; if no qualified nominees are submitted within 60 days after a vacancy occurs or if fewer than 2 individuals so qualified are nominated, the governor shall appoint up to 2 qualified tenants of his choosing to the board; the initial terms of such appointees shall be for 2 and 4 year terms, respectively, as he may designate;

(4) 1 member who shall be a representative of organized labor appointed by the governor from a list of not more than 2 nor more than 5 nominees, representing different unions submitted by leadership of each of the Central Labor Council, AFL-CIO and the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America representing members in the municipalities within the region. If no such list of nominees is submitted within 60 days after a vacancy occurs, the governor may appoint any representative of organized labor of his own choosing to the authority; the initial terms of such appointee shall be for 3 years.

(d) Board members shall serve for a term of 5 years except as provided in this section for the initial appointees, but a person appointed to fill a vacancy shall serve only for the unexpired term. Each member shall serve until his successor is appointed. Any member shall be eligible for reappointment.

(e) Whenever a vacancy occurs in the term of a member appointed as set forth in subsection (2), (3) or (4) of this section, for any reason other than the expiration of a term, the department shall notify in writing the municipal officials, the tenant organizations specified herein or the unions specified herein, as appropriate, within 10 working days after the vacancy occurs.

(f) As soon as possible after the qualification of the members of a housing authority the city or town clerk, as the case may be, shall file a certificate of such appointment with the department, and a duplicate thereof in the office of the state secretary. If the state secretary finds that the housing authority has been organized and the members thereof appointed according to law, he shall issue to it a certificate of organization and such certificate shall be conclusive evidence of the lawful organization of the authority and of the appointment of the members thereof.

(g) Whenever the membership of a housing authority is changed by appointment, resignation or removal, a certificate and duplicate certificate to that effect shall be promptly so filed. A certificate so filed shall be conclusive evidence of the change in membership of the housing authority referred to therein.

(h) Whenever a housing authority determines that there is no further need for its existence, that it has no property to administer, and that all outstanding obligations of the authority have been satisfied, it may by a vote of 6 of the members submit the question of its dissolution to the municipal officers of each municipality within its region. If the municipal officers of each such city and town vote for such dissolution, and the department is satisfied of the existence of the facts required herein, said housing authority shall be dissolved forthwith subject to the applicable provisions of section 51 of chapter 155.

(i) The governor shall designate 1 of his initial appointees as chairman of the housing authority who shall serve as such chairman during his term of office as a member. Thereafter, the chairman shall be elected annually by the board. A housing authority shall annually elect 1 of its members as vice-chairman and shall also annually elect a secretary, a treasurer and such other officers as it may determine, none of whom need be a member.

(j) 5 members of the board shall constitute a quorum, and the affirmative vote of a majority of members shall be necessary and sufficient for any action taken by the board except for the selection or termination of an executive director and as otherwise required by this chapter, which actions shall require the affirmative vote of 6 members.

(k) Members of the board of a housing authority shall serve without pay but shall be reimbursed for actual expenses necessarily incurred in the performance of their duties.

(l) A member of a housing authority appointed as a tenant, in accordance with the provisions of section 3, who ceases to be a tenant in a building owned and operated by or on behalf of the local housing authority shall be removed upon the date of such change by operation of law. A member of a housing authority who is a tenant in a housing project shall not participate in any decision relating to the project affecting his personal interest.

(m) For the purposes of chapter 268A or paragraph (7) of section 44D of chapter 149, each housing authority shall be considered a public agency and each member of such authority, and any person who performs professional services for such an authority on a part-time, intermittent or consultant basis, such as those of architect, attorney, engineer, planner, or construction, financial, real estate or traffic expert, shall be considered a special state employee.

SECTION 6. Said chapter 121B of the General Laws, as so appearing, is hereby further amended by striking out section 3A and inserting in place thereof the following:-

Section 3A. Local housing commissions; local approvals.

(a) Municipal officers may establish a local housing commission to exercise the authority granted in this subsection.

(b) Each local housing commission shall be comprised of 5 members who are residents of the city or town and appointed, in the case of cities, by the mayor, and in the case of towns, by the selectmen, for a term of 5 years, provided that the members shall be appointed to serve for initial terms of 1, 2, 3, 4, and 5 years, respectively.



116 (c) Vacancies, other than by reason of expiration of terms, shall be filled for the balance of  
117 the unexpired term, in the same manner and by the same body. Every member, unless sooner  
118 removed, shall serve until the qualification of his successor.

119 (d) As soon as possible after the qualification of the members of a local housing commission  
120 the city or town clerk, as the case may be, shall file a certificate of such appointment, or of such  
121 appointment with the department, and a duplicate thereof, in either case, in the office of the state  
122 secretary. If the state secretary finds that the local housing commission has been organized and  
123 the members thereof appointed according to law, he shall issue to it a certificate of organization  
124 and such certificate shall be conclusive evidence of the lawful organization of the commission  
125 and of the appointment of the members thereof.

126 (e) Whenever the membership of a local housing commission is changed by appointment,  
127 resignation or removal, a certificate and duplicate certificate to that effect shall be promptly so  
128 filed. A certificate so filed shall be conclusive evidence of the change in membership of the  
129 commission.

130 (f) A local housing commission shall have the following rights and authority with respect to  
131 the operations of a housing authority within the city or town:

132 (1) to approve actions under subsections (c), (d), (k), (m), and (p) of section 26;

133 (2) to approve actions under subsections (e), (f), (g) and (l) of section 26, section 27 and  
134 section 39, to the extent such actions involve the acquisition of real estate, the lease of additional  
135 real estate or new construction;

(3) to approve the sale of land, a project or a part of a project and the land appurtenant thereto, under section 34;

(4) to approve the sale of a relocation project under section 37; and

(5) to provide advice on and review the annual capital and operating plan required under section 29.

SECTION 7. Said chapter 121B of the General Laws, as so appearing, is hereby further amended by striking out section 5 and inserting in place thereof the following:-

Section 5. Redevelopment authorities; membership; appointment; election; term of office.

(a) Every redevelopment authority shall be managed, controlled and governed by 5 members, appointed or elected as provided in this section, of whom 3 shall constitute a quorum.

In a city, 4 members of a redevelopment authority shall be appointed by the mayor subject to confirmation by the city council; provided that the members shall be appointed to serve for initial terms of 1, 2, 4, and 5 years, respectively.

(b) In a town, 4 members shall be elected by the town; provided, that of the members originally elected at an annual town meeting, the one receiving the highest number of votes shall serve for 5 years, the one receiving the next highest number of votes, for 4 years, the one receiving the next highest number of votes, for 2 years, and the one receiving the next highest number of votes shall serve for 1 year; provided, that upon the initial organization of a redevelopment authority, if a town so votes at an annual or special town meeting called for the purpose, 4 members of such an authority shall be appointed forthwith by the selectmen to serve

156 only until the qualification of their successors, who shall be elected at the next annual town  
157 meeting as provided above.

158 (c) In a city or town, 1 member of a redevelopment authority shall be appointed by the  
159 department for an initial term of 3 years.

160 (d) Thereafter, as the term of a member of any redevelopment authority expires, his  
161 successor shall be appointed or elected, in the same manner and by the same body, for a term of  
162 5 years from such expiration. Membership in a redevelopment authority shall be restricted to  
163 residents of the city or town.

164 (e) Vacancies, other than by reason of expiration of terms, shall be filled for the balance of  
165 the unexpired term, in the same manner and by the same body, except elected members in towns  
166 whose terms shall be filled in accordance with the provisions of section 11 of chapter 41. Every  
167 member, unless sooner removed, shall serve until the qualification of his successor.

168

169 (f) As soon as possible after the qualification of the members of a redevelopment authority  
170 the city or town clerk, as the case may be, shall file a certificate of such appointment, or of such  
171 appointment and election, as the case may be, with the department, and a duplicate thereof, in  
172 either case, in the office of the state secretary. If the state secretary finds that the redevelopment  
173 authority has been organized and the members thereof elected or appointed according to law, he  
174 shall issue to it a certificate of organization and such certificate shall be conclusive evidence of  
175 the lawful organization of the authority and of the election or appointment of the members  
176 thereof.

(g) Whenever the membership of a redevelopment authority is changed by appointment, election, resignation or removal, a certificate and duplicate certificate to that effect shall be promptly so filed. A certificate so filed shall be conclusive evidence of the change in membership of the authority referred to therein.

(h) For the purposes of chapter 268A or paragraph (7) of section 44D of chapter 149, each redevelopment authority shall be considered a municipal agency and, without limiting the power of a city council or board of aldermen or board of selectmen to classify additional special municipal employees pursuant to said chapter, each member of such an authority, and any person who performs professional services for such an authority on a part-time, intermittent or consultant basis, such as those of architect, attorney, engineer, planner, or construction, financial, real estate or traffic expert, shall be considered a special municipal employee.

SECTION 8. Said chapter 121B of the General Laws, as so appearing, is hereby further amended by striking out section 6 and inserting in place thereof the following:-

Section 6. Charges against redevelopment authority members; hearing; removal; resignation; suspension.

(a) The mayor or city council or board of selectmen may make or receive written charges against, and the mayor with the approval of the city council, or the board of selectmen, as the case may be, may accept the resignation of, any member of a redevelopment authority appointed or elected by such city or town or may, after hearing, remove any such member because of inefficiency, neglect of duty or misconduct in office provided that such member shall have been given, not less than 14 days before the date set for such hearing, a copy in writing of the charges against him and written notice of the date and place of hearing to be held thereon, and at the

199 hearing shall have been given the opportunity to be represented by counsel and to be heard in his  
200 defense.

201 (b) The mayor and city council or board of selectmen may also make or receive written  
202 charges against any member of a redevelopment authority in such city or town appointed by the  
203 department and refer the same to the department which may proceed in the same manner as the  
204 mayor and city council or board of selectmen under the preceding sentence.

205 (c) Pending final action upon any such charges, the officer or officers having the power to  
206 remove such member may temporarily suspend him, provided that they shall immediately  
207 reinstate him in office if they find such charges have not been substantiated, and may appoint a  
208 person to perform the duties of such suspended member until he is reinstated or until he is  
209 removed and his successor is qualified.

210 (d) In case of any such removal the removing authority shall forthwith deliver to the clerk of  
211 the city or town attested copies of such charges and of its findings thereon, and the clerk shall  
212 cause the same to be filed with the certificate and duplicate certificate required to be filed with  
213 the department and the state secretary under section 5.

214 (e) A member of a redevelopment authority who ceases to be a resident of the city or town  
215 shall be removed upon the date of his change of residence by operation of law.

216 Section 6A. Charges against housing authority members; hearing; removal; suspension;  
217 resignation.

218 (a) The governor may also make or receive written charges against any member of a housing  
219 authority and remove any such member because of inefficiency, neglect of duty or misconduct in

office after hearing by the department. The governor shall refer the same to the department provided that such member shall have been given, not less than 14 days before the date set for such hearing, a copy in writing of the charges against him and written notice of the date and place of hearing to be held thereon, and at the hearing shall have been given the opportunity to be represented by counsel and to be heard in his defense.

(b) Pending final action upon any such charges, the governor may temporarily suspend him, provided that he shall immediately reinstate him in office if the department find such charges have not been substantiated, and may appoint a person to perform the duties of such suspended member until he is reinstated or until he is removed and his successor is qualified.

(c) In case of any such removal the department shall forthwith deliver to the clerk of the city or town in which the member resides attested copies of such charges and of its findings thereon, and the clerk shall cause the same to be filed with the certificate and duplicate certificate required to be filed with the department and the state secretary under section 3.

(d) A member of a housing authority who ceases to be a resident of the region in which the housing authority operates shall be removed upon the date of his change of residence by operation of law. A member of a housing authority appointed as a tenant, in accordance with the provisions of section 3, who ceases to be a tenant in a building owned by the housing authority shall be removed upon the date of such change by operation of law.

(e) The governor may accept the resignation of any housing authority board member.

SECTION 9. Said chapter 121B of the General Laws, as so appearing, is hereby further amended by striking out section 7 and inserting in place thereof the following:-

Section 7. Officers and executive director of authorities.

(a) Except as required by section 3(i), a housing or redevelopment authority shall elect from among its members a chairman and a vice-chairman, and may employ counsel, an executive director who shall be ex officio secretary of the authority, a treasurer who may be a member of the authority and such other officers, agents and employees as it deems necessary or proper, and shall determine their qualifications and duties, and may delegate to 1 or more of its members, agents or employees such powers and duties as it deems necessary or proper for the carrying out of any action determined upon by it.

(b) So far as practicable, a housing or redevelopment authority shall make use of the services of the agencies, officers and employees of the city or town in which such a redevelopment authority is organized or within such a housing authority's region, and such city or town shall, if requested, make available such services, except in the city of Boston the housing authority may contract with said city for the assignment of 37 police officers of the police department of said city to police the buildings and grounds owned by said authority with the proviso that said authority shall reimburse said city for one-third of the cost thereof.

(c) Members of a housing authority shall be allowed, or be reimbursed for, all expenses properly incurred by them within or without the region in the discharge of their duties. Such expenses shall be allocated by the housing authority among its various projects in such manner and amounts as it deems proper.

SECTION 10. Subsection (d) section 11 of said chapter 121B of the General Laws, as so appearing, is hereby amended by inserting in line 18, after the words "or assign the same", the following: provided that, in the case of a housing authority, any such action shall require the

approval of the municipal officers and the local housing commission, if any, of the city or town affected by the action; .

SECTION 11. Said section 11 of said chapter 121B of the General Laws, as so appearing, is hereby further amended by striking out subsections (j) through (o) and inserting in place thereof the following:-

(j) To enter, with the approval of the mayor or board of selectmen of the city or town in which a project is located, and the department, into agreements with the federal government relative to the acceptance or borrowing of funds for any project it is authorized to undertake and containing such covenants, terms and conditions as the operating agency, with like approval, may deem desirable; provided, however, that nothing herein shall be construed to require approval by the mayor or selectmen or the department of requisition agreements and similar contracts between an agency and the federal government which are entered into pursuant to an agreement approved by them;

(k) To enter into, execute and carry out contracts and all other instruments necessary or convenient to the exercise of the powers granted in this chapter;

(l) To make, and from time to time amend or repeal, subject to the approval of the department, by-laws, rules and regulations, not inconsistent with pertinent rules and regulations of the department to govern its proceedings and effectuate the purposes of this chapter;

(m) To join or cooperate with one or more other operating agencies in the exercise, either jointly or otherwise, of any of their powers for the purpose of financing, including the issuance



of bonds, notes or other obligations and the giving of security therefor, planning, undertaking, owning, constructing, operating or contracting with respect to any project or projects authorized by this chapter located within the area within which one or more of such authorities are authorized to exercise their powers; and for such purpose to prescribe and authorize, by resolution, any operating agency so joining and cooperating with it to act in its behalf in the exercise of any of such powers; and

(n) To lease energy saving systems that replace non-renewable fuels with renewable energy such as solar powered systems.

SECTION 12. Section 19 of said chapter 121B of the General Laws, as so appearing, is hereby amended by striking out lines 1 through 6 and inserting in place thereof the following:-

Section 19. Cities and towns may raise and appropriate money for the purpose of defraying the initial costs and annual administrative expenses of a redevelopment authority authorized to be organized therein. Cities and towns may raise and appropriate money for the purpose of defraying the annual administrative expenses of a housing authority that operates therein.

Administrative expenses may include the cost of preparing any plans, studies, programs and surveys an operating agency is authorized to prepare and the expense of preparing plans in connection with one or more proposed projects.

SECTION 13. Section 20 of said chapter 121B of the General Laws, as so appearing, is hereby amended by striking out lines 1 through 5 and inserting in place thereof the following:-

304 Section 20. A city or town may raise and appropriate, or may borrow, or may agree with a  
305 redevelopment authority authorized to be organized therein, a housing authority operating  
306 therein, the federal government or the commonwealth to raise and appropriate or to borrow, in  
307 aid of such agency, such sums as may be necessary for:—

308 SECTION 14. Section 23 of said chapter 121B of the General Laws, as so appearing, is hereby  
309 amended by striking out lines 1 through 8 and inserting in place thereof the following:-

310 Section 23. For the purpose of complying with the conditions of federal legislation, or in lieu of a  
311 contribution, loan or grant in cash to a redevelopment authority authorized to be organized  
312 therein or a housing authority operating therein, or to aid and cooperate in the planning,  
313 construction or operation of any project of such an agency, a city or town, or the appropriate  
314 board or officer thereof on behalf of such city or town, may upon such terms, and with or without  
315 consideration, do or agree to do any or all of the following things, as such city, town, board or  
316 officer, as the case may be, may determine:—

317 SECTION 15. Section 24 of said chapter 121B of the General Laws, as so appearing, is hereby  
318 amended by striking out, in line 1, the word “the” and inserting in place thereof the following:-  
319 an .

320 SECTION 16. Said chapter 121B of the General Laws, as so appearing, is hereby further  
321 amended by striking out section 26 and inserting in place thereof the following:-

322 Section 26. A housing authority shall have the following powers in addition to those set forth in  
323 section 11 or elsewhere in this chapter:—

324 (a) To make studies of housing needs and markets, including data with respect to population  
325 and family groups and their distribution according to income groups, the amount and quality of  
326 available housing and its distribution according to rentals and sales prices, employment, wages  
327 and other factors affecting housing needs and markets, and surveys and plans for housing related  
328 to community development, including desirable patterns for land use and community growth,  
329 and to make such studies, surveys and plans available to the federal government, the department  
330 and other state agencies, other operating agencies, the public and the building, housing and  
331 supply industries;

332 (b) To conduct investigations and disseminate information relative to housing and living  
333 conditions and any other matter deemed by it to be material in connection with any of its powers  
334 and duties;

335 (c) To determine what areas within its jurisdiction constitute substandard, decadent or  
336 blighted open areas;

337 (d) To prepare plans for the clearance of such decadent, substandard or blighted areas and to  
338 clear open areas whenever necessary or desirable to provide for the equivalent elimination of  
339 substandard buildings in accordance with section 33 provided that no housing authority in any  
340 city or town in which a redevelopment authority has been organized shall initiate such a  
341 clearance project without the approval of such redevelopment authority and the approval of the  
342 municipal officers of the city or town;

343 (e) To provide housing projects for families of low income;

344 (f) To provide projects or parts thereof for elderly persons of low income;

345 (g) To provide housing for families of low income in rural areas in accordance with  
346 provisions set forth in section 27;

347 (h) To undertake and provide relocation projects in order to house for a limited period  
348 families who are displaced by an urban renewal project or other public improvement involving  
349 the elimination of dwelling units whenever such project or public improvement is determined  
350 upon and it or an urban renewal agency finds that there exists in a city or town within its region,  
351 an acute shortage of housing and that there are no adequate means available for immediate  
352 relocation of persons and families displaced from that project area;

353 (i) To lease, operate and, subject to section 32, establish or revise schedules of rents for any  
354 project or part thereof undertaken by it;

355 (j) To undertake as a separate project the repair, landscaping and improvement of an existing  
356 housing project or part thereof, provided, further, that the plans for each such project shall be  
357 undertaken in accordance with rules and regulations promulgated by the department for such  
358 projects.

359

360 (k) To undertake as a separate project the renovation, remodeling, reconstruction, and  
361 demolition, including the reduction of undesirable unit densities in an existing housing project as  
362 deemed necessary by the department for the improvement of an existing housing project assisted  
363 by the commonwealth pursuant to section 34 or 41; provided, that an equal number of low-rent  
364 relocation units are provided to replace those occupied units which are removed in the reduction  
365 of an undesirable unit density; and the clearance, preparation for sale, including the payment of  
366 relocation costs for occupants of such existing housing projects, and sale or other disposition of

any or all of any existing housing project or part thereof assisted by the commonwealth, pursuant to section 34, notwithstanding the provisions of clause (d) or section 34, provided, that the department shall first have:

(1) found that all or a substantial portion of such existing housing project or part thereof no longer provides decent, safe and sanitary housing, as determined by the department of public health or the department of public safety, and, in the judgment of the department, such project or part thereof cannot feasibly be operated or renovated pursuant to the provisions of this chapter;

(2) approved the proposed project, including a relocation plan for occupants of the existing project and a plan to make housing available on the land where the existing project is situated, at least 25 percent of the units of which shall be for low income persons or families, which project may include plans to use a portion of such land for a public purpose ancillary to such development and approved by the department;

(3) approved the sale and the terms thereof, if the land is to be sold, which shall be at the fair market value for the proposed reuse, as determined by MHFA and approved by the department, and in accordance with the cooperation agreement referred to below;

(4) determined that the availability of funds to the housing authority for such project is conditioned upon the occurrence of the initial mortgage loan closing for the development of new or rehabilitated housing on the land where the existing project is situated; and the execution of a cooperation agreement by the MHFA and the department which shall establish a procedure for selection of a developer best qualified to develop, own and operate the new or rehabilitated housing on the existing land, for providing for such development of the new housing within a

reasonable time in accordance with MHFA-approved contracts, and for assuring continued occupancy of at least 25 percent of the dwelling units in the new development by families of low income;

(5) determined that the proceeds of such sale or other funds available to the housing authority for such project, or both, shall not be less than the amount necessary to pay in full the principal of and interest on the outstanding obligations of the housing authority with respect to such existing project if the whole is sold or not less than that percentage of such obligations which the original cost of the part sold bears to the total original cost of the entire existing project if a part is sold. Such amount of proceeds or other funds necessary to pay in full such obligations or percentage thereof shall be deposited in trust for the benefit of the holders of such outstanding obligations and until and unless all such obligations are paid and discharged in full said proceeds and other funds shall be expended solely for payment of principal and interest thereon.

(6) found that representatives of all occupants of such existing housing project, selected by the occupants in a manner approved by the department, have fully participated in the development of the project proposal and that all occupants of such existing housing projects have adequate notice and an opportunity to review the proposed project and relocation plan and an opportunity to present their views at a public hearing which shall be held by the department.

(l) To provide housing projects or specific parts thereof, or cooperative apartments, community residences and such other forms of congregate housing, or housing in separate dwelling units, for low income handicapped persons or low income families, of which 1 or more than 1 person is handicapped, or persons whose mobility, flexibility, coordination and

perceptiveness are significantly reduced by aging; provided, that such housing may be provided in newly constructed buildings, or in buildings purchased or leased, and that may be made renovated as necessary, or in buildings already owned by local housing authorities that may be made accessible; and to provide living facilities for persons essential for the well-being of such handicapped persons or families; and to provide other such facilities as are necessary to the well-being of the handicapped residents of such housing; and to contract with various corporations for the provision of services to the handicapped residents, including but not limited to staffing, management and maintenance of such housing; provided further, that such contracting shall be in accordance with guidelines and directives or rules and regulations, or either, promulgated or issued by the department, and that such contracting shall be approved by the department.

(m) To participate in the development of low and moderate income housing undertaken or assisted pursuant to federal legislation and to finance mortgage loans for the construction or rehabilitation of low and moderate income housing, which may include ancillary commercial facilities to the extent permitted by the then applicable regulations of the department, and to purchase, or participate in the purchase of, securities which are secured by such mortgage loans.

A housing authority may create, designate or approve agencies or instrumentalities to provide such housing and do all other things necessary or desirable to secure financial or other forms of assistance from the federal government including the exemption from federal income taxation of interest on bonds or notes of such housing authority issued with respect to such housing. Low and moderate income housing shall be financed under this paragraph only after the housing authority shall, pursuant to regulations adopted by the department, have found (A) that persons and families whose annual incomes are less than 80 percent of the median income in the area in which such housing is to be constructed or rehabilitated, as determined by the department, can

434 afford the rentals, including the provision of heat, electricity and hot water, set for 20 percent of  
435 the units in the project on the basis of the use of not more than 30 percent of their annual income  
436 or such greater portion of their annual income as may be required by laws or regulations  
437 applicable to any housing subsidy program of any agency of the United States government or the  
438 commonwealth to be used in connection with the proposed project or any laws or regulations  
439 applicable to the exemption of the interest on the bonds or notes of the housing authority from  
440 federal income taxation and (B) either (1) that the other tenants occupying the project shall pay a  
441 rental not less than one-seventh of their annual income but in no event greater than the maximum  
442 rental which could be obtained for such unit in light of the rentals charged for comparable units  
443 within the same market area; or (2) that the project is located in a blighted open area, or any  
444 decadent area, or any substandard area. Any bonds, notes or other securities issued by any  
445 housing authority, or any agency or instrumentality designated or approved by any such  
446 authority, pursuant to the provisions of this paragraph, shall not create or imply any obligation or  
447 indebtedness of any kind on the part of any housing authority, the commonwealth, or any  
448 political subdivision thereof. The department may promulgate such rules and regulations as it  
449 may deem necessary to further the purposes of this paragraph.

450 (n) to disseminate to and receive from other housing authorities information, including personal  
451 data as defined in section one of chapter 66A, which could have a direct bearing on a  
452 determination as to whether an individual or household is qualified for selection or placement in  
453 accordance with state or federal eligibility or tenant selection regulations; provided, that in  
454 instances where the department of housing and community development or a nonprofit  
455 corporation is administering a state or federal housing program, a housing authority may  
456 disseminate to and receive such information for the aforementioned purpose from the department



of housing and community development or a nonprofit corporation. Such information may be disseminated for the aforementioned purpose among the department of housing and community development and any nonprofit corporations administering a state or federal housing program. Any personal data, as defined in section one of said chapter 66A, which is received by a housing authority, the department of housing and community development, or a nonprofit corporation pursuant to this paragraph, shall be used, maintained and disseminated further in accordance with the provisions of said chapter 66A and this paragraph. Whenever such information is disseminated by a local housing authority, the department of housing and community development, or a nonprofit corporation, a copy of all such information and the names of the agencies which received it shall be sent to said individual or household. The department of housing and community development shall promulgate such rules and regulation as it deems necessary to further the purposes of this paragraph.

(o) To provide in the case of a unit in a housing project occupied by an elderly person of low income or a handicapped person of low income, for the installation, removal, or maintenance of air conditioner units, stoves, and such other personal property of said elderly person or such handicapped person as the housing authority may determine necessary to maintain the building and to protect the safety of tenants residing therein.

(p) Notwithstanding anything to the contrary in this section 26 or in section 34, to dispose of or demolish any or all of an existing housing project or part thereof assisted by the commonwealth under chapter 705 of the acts of 1966, chapter 689 of the acts of 1974, or chapter 167 of the acts of 1987, and provided that:

(1) the department and the housing authority have determined that it is not financially feasible to bring the units up to a reasonable program standard for occupancy or permissible to convert the units to another low rent housing program; and

(2) for units financed under chapter 705 of the acts of 1966, the units were vacant as of November 1, 2012, or, for units financed under chapter 689 of the acts of 1974 or chapter 167 of the acts of 1987, the department has received written confirmation from both the department of developmental services and the department of mental health that such units are obsolete and inappropriate for housing their respective clients.

Upon approval by the department, the housing authority may dispose of the property by sale, ground lease or other transfer of its interest in the property, provided that the department must review and approve of any appraisal and request for proposals related to the disposition, as well as the selection of the selected bidder. The request for proposals shall provide that:

(1) in reviewing responses to the request for proposals, first priority for selecting from among the responsive and responsible bidders shall be those bidders that offer a feasible plan to provide housing on the site that is permanently affordable to households under 80 percent of area median income as defined by the department. Such bidders shall obtain the property for 1 dollar, subject to an enforceable agreement to meet the requirements of its proposal; and,

(2) if no responsive and responsible bidder meets the above standard, the property shall be sold to the bidder offering the highest price for the property;

Notwithstanding anything to the contrary in this chapter, proceeds from the disposition, after paying for the costs of the disposition, shall be deposited into an expendable trust controlled by the department, the purpose of which shall be to fund such capital improvements as the

department determines are necessary and appropriate at existing housing developments that serve such households as would have been eligible for occupancy of the units that had been sited on the property.

SECTION 17. Said chapter 121B of the General Laws, as so appearing, is hereby further amended by striking out section 26A and inserting in place thereof the following:-

Section 26A. Financing of projects; bonds and notes; approval of city or town.

(a) The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments as authorized by this section, and may issue and renew from time to time notes and bonds of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer, provided that the annual payment for any 1 project shall not exceed 8 percent of the project cost, as determined by the department.

(b) To finance the costs of any projects undertaken under section 26, and annual contributions by the commonwealth, as provided for under this chapter, the state treasurer shall, upon request of the governor, issue and sell at public or private sale, notes or bonds of the commonwealth, in an amount to be specified by the governor from time to time, but not exceeding in the aggregate the difference between the amounts authorized, in section 41 with respect to elderly persons of low-income and in section 34 with respect to families of low-income, and the amount of notes or bonds of a housing authority guaranteed by the commonwealth issued to finance the cost of project. The provisions and limitations relating to such notes and bonds, as provided for under this chapter shall apply to such notes and bonds in

the same manner and to the same extent as if such notes or bonds had been issued by a local housing authority.

(c) In any city where the department finds that the purpose of providing adequate housing for families of low income and the need for neighborhood revitalization would best be served if the department acts as a housing authority, the department shall have all the powers of a housing authority under this chapter, including, the power to contract directly with any private non-profit corporation for the purpose of developing and managing housing projects for families of low income pursuant to section 31 of this chapter involving the purchase or acquisition of the right to use completed or remodeled dwelling units whether condominium units, individual buildings part of a larger development, or a portion of the units in a multi-family development, or the construction of new buildings; provided, however, that the department shall obtain the approval of the mayor and the city council; and provided, further, that such projects shall be subject to rules and regulations promulgated by the department, in the event said department acts as a housing authority in a city pursuant to this paragraph, which regulations shall include, but not be limited to, a procedure for providing public notice of the availability of funding and a ranking of priority for projects according to criteria for selection; and provided, further, that such projects shall be subject to any applicable laws, ordinances, and regulations of the city in which the project is located, relating to the construction and repair of buildings, zoning and the protection of public health in accordance with the provision of section 28.

(d) Said department shall annually provide for an evaluation of the effectiveness of its actions as a housing authority under this section. The evaluation shall be filed, together with drafts of legislation necessary to carry into effect any recommendations the department might make, with the clerks of the senate and the house of representatives, the house and senate

545 committees on ways and means and the joint committee on urban affairs on or before the first  
546 Wednesday in December.

547 SECTION 18. Section 27 of said chapter 121B of the General Laws, as so appearing, is hereby  
548 amended by striking out lines 1 and 2, as so appearing, and inserting in place thereof the  
549 following words: "In towns in which rural areas are located, the housing authority operating in  
550 such town shall undertake the provision of housing for".

551 SECTION 19. Section 27 of said chapter 121B of the General Laws, as so appearing, is hereby  
552 further amended by striking out the second paragraph.

553 SECTION 20. Section 29 of said chapter 121B of the General Laws, as so appearing, is hereby  
554 amended by striking out the first paragraph and inserting in place thereof the following:-

555         Each housing authority shall keep an accurate account of all its activities and all its  
556 receipts and expenditures and shall annually in the month of January make a report thereof to the  
557 department, to the state auditor and to the mayor of each city or to the selectmen of each town in  
558 its region, such reports to be in a form prescribed by the department with the written approval of  
559 said auditor. The department or said auditor shall investigate the budgets, finances and other  
560 affairs of housing authorities and their dealings, transactions and relationships. They shall  
561 severally have the power to examine into the properties and records of housing authorities and to  
562 prescribe methods of accounting and the rendering of periodical reports in relation to clearance  
563 and housing projects undertaken by such authorities. The department shall from time to time  
564 make, amend and repeal rules and regulations prescribing standards and stating principles  
565 governing the planning, construction, maintenance and operation of clearance and housing  
566 projects by housing authorities.

Each housing authority shall annually prepare a plan, on a form required by the department, that contains a proposed operating budget and capital expenditure plan for the next fiscal year of the authority, and a report on compliance with the tenant engagement requirements of the department during the most recent fiscal year of the authority. Said plan shall be submitted for comment to the local housing commission or municipal officers pursuant to section 3A, not less than 60 days prior to the start of the fiscal year that is the subject of the operating budget.

SECTION 21. Section 31 of said chapter 121B of the General Laws, as so appearing, is hereby amended by striking subsection (a) and inserting in place thereof the following:-

(a) Projects involving the purchase or acquisition of the right to use completed dwelling units that have been recently constructed, reconstructed or remodeled, whether condominium units, individual buildings part of a larger development, or a portion of the units in a multi-family development, shall be approved by the department only after it determines that the housing authority has made adequate arrangements for the maintenance and operation of the units, either through use of its own personnel or by contract with a private real estate management organization acceptable to the housing authority with the approval of the department.

SECTION 22. Subsection (b) of section 31 of said chapter 121B of the General Laws, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following:-

Projects involving the construction of new buildings by a housing authority shall be approved by the department following due notice and a public hearing in the town or city involved held to consider testimony relating to the determinations required to be made. The

589 department shall approve such a project only if it makes the following determinations: (i) the  
590 design and layout of the proposed project is appropriate to the neighborhood in which it is to be  
591 located; and (ii) an adequate supply of dwelling units for families of low income is not then  
592 available in the private market, and the housing authority, after reasonable effort, has been  
593 unable to obtain such units either through reconstruction, remodeling, or repair of existing  
594 buildings or by the purchase of completed dwelling units. The provisions of this clause shall not  
595 apply to any project which shall be certified by the department to be a project designed  
596 specifically for elderly persons of low income. A project shall be deemed to be designed  
597 specifically for elderly persons of low income if a majority of the dwelling units in said project  
598 are designed specifically for elderly persons of low income and if not more than 100 dwelling  
599 units in said project are designed for families of low income.

600 SECTION 23. Section 32 of said chapter 121B of the General Laws, as so appearing, is hereby  
601 amended by striking out, in lines 139 through 141, the following: “, but may establish a  
602 requirement that any such applicant be a resident of the commonwealth for a period of six  
603 months prior to becoming a tenant”.

604 SECTION 24. Said chapter 121B of the General Laws, as so appearing, is hereby further  
605 amended by striking out section 39 and inserting in place thereof the following:-

606 Section 39. The housing authorities organized under section 3 shall have power to provide  
607 housing for elderly persons of low income and handicapped persons of low income either in  
608 separate projects or as a definite portion of any other projects undertaken under sections 25 to 44,  
609 inclusive, of this chapter, or in remodeled or reconstructed existing buildings, or through the  
610 purchase of condominium units, and the provisions of sections one to forty-four, inclusive, of

611 this chapter shall, so far as apt, be applicable to projects and parts of projects undertaken under  
612 sections 38 through 41 except as otherwise provided in section 40 or elsewhere in this chapter.  
613 The power to provide such housing shall include the provision of facilities for congregate living,  
614 either in separate projects or as a definite portion of any other projects so undertaken. A housing  
615 authority with the approval of the department may in addition to, and to the extent not  
616 inconsistent with this section or section forty-one provide that on project sites which include  
617 convenience stores or ancillary commercial facilities housing projects may be planned and  
618 designed so as to permit the continued operation of such stores or facilities. Such stores or  
619 facilities may be rented or leased by such housing authorities. The provisions of the preceding  
620 two sentences shall apply also to any low rent housing project for families of low income  
621 undertaken pursuant to this chapter.

622 In any town in which a veterans' housing project or project for the housing of elderly  
623 persons has already been constructed or established, the housing authority shall not be  
624 empowered to erect a new housing project for elderly persons nor shall a contract for financial  
625 assistance applicable to the construction of a new project for the housing of elderly persons be  
626 entered into pursuant to the provisions of section 41 until there shall have been submitted to, and  
627 approved by vote of, an annual town meeting or a special town meeting called therefor, the  
628 question whether the housing authority should be empowered to erect such new housing project,  
629 for one of the purposes authorized by law, as said authority should thereafter determine to be  
630 reasonably necessary and feasible.

631 Notwithstanding any general or special law to the contrary, a housing authority that  
632 manages units provided under this section and section 40 shall give priority in placement to non-  
633 elderly handicapped persons of low income, who are eligible to receive such housing and who



are qualified under the criteria established in regulations promulgated by the department, in 13 1/2 percent of said units. If a housing authority determines that there are insufficient numbers of eligible and qualified non-elderly handicapped persons of low income to fill 13 1/2 percent of the housing units, the housing authority shall then place eligible and qualified elderly persons of low income in said units. The 13 1/2 percent of units for which eligible and qualified non-elderly handicapped persons of low income receive priority in placement shall include the percentage of units for which handicapped persons of low income without regard to age, and their families, are given priority pursuant to subsection (f) of section 40, when such units are occupied by non-elderly handicapped persons of low income.

Notwithstanding any general or special law to the contrary, a housing authority which manages units provided under this section and section 40 shall give priority in placement to elderly persons of low income, who are eligible to receive such housing and who are qualified under the criteria established by regulations of the department, in 86 1/2 percent of said units. If a housing authority determines that there are insufficient numbers of eligible and qualified elderly persons of low income to fill 86 1/2 percent of said units the housing authority shall give priority in placement to eligible and qualified handicapped persons of low income who are on a waiting list for housing developed pursuant to this section or section 40, and who have attained the age of 50, but who are less than 60 years old. If a local housing authority determines that there are insufficient numbers of elderly persons of low income and handicapped persons of low income who have attained the age of 50 but who are less than 60 years old, who have applied for occupancy in housing developed pursuant to this section and section forty to fill 86 1/2 percent of said units, the housing authority shall place other non-elderly handicapped persons of low income who have applied for occupancy in said housing in said units.

657 Preference for accessible or modified units pursuant to subsection (f) of section 40 may  
658 be given to handicapped persons of low income, without regard to age, who need one or more of  
659 the special design features of said units.

660 Among non-elderly handicapped persons of low income who are eligible and qualified  
661 for housing pursuant to this section a preference shall be given in the community in which they  
662 reside to eligible and qualified non-elderly handicapped persons of low income who are veterans,  
663 and among elderly persons of low income who are eligible and qualified for housing pursuant to  
664 this section a preference shall be given in the community in which they reside to eligible and  
665 qualified elderly persons of low income who are veterans.

666 The numerical percentages stated herein shall be deemed policy objectives and in no way  
667 shall be an entitlement to any form of housing necessary for compliance with the provisions of  
668 this chapter.

669 The department shall, after consultation with the secretaries of elder affairs and health  
670 and human services, promulgate rules and regulations concerning the implementation of the  
671 priorities in placement, as set forth herein, and may establish placement ratios among elderly  
672 persons of low income and non-elderly handicapped persons of low income to provide for an  
673 equitable transition to encourage the percentage policy objectives stated herein for said persons  
674 of low income. Until such time that said percentage policy objectives, stated herein, are  
675 substantially met, said placement ratios shall not be less than one elderly person of low income  
676 for each placement of one non-elderly handicapped person of low income. Said placement ratios  
677 shall only be implemented at housing authorities where non-elderly handicapped persons of low  
678 income represent less than 13 1/2 percent of the total residents at said authority; provided, that

679 said placement ratios shall not be implemented at any housing authority where non-elderly  
680 handicapped persons of low income represent greater than thirteen and one-half percent of the  
681 total residents. The priorities in placement established herein shall not be implemented by  
682 housing authorities until such rules and regulations have been promulgated. Any person who is  
683 lawfully residing in housing developed pursuant to this section and section 40 when such rules  
684 and regulations are promulgated may not be evicted or otherwise required to vacate a housing  
685 unit solely as a consequence of the priorities in placement established herein.

686         Nothing stated herein shall give rise to enforceable legal rights in any party or an  
687 enforceable entitlement to any form of housing and further, nothing stated herein shall be  
688 construed as giving rise to such enforceable legal rights or such enforceable entitlement.

689 SECTION 25. Section 40 of said chapter 121B of the General Laws, as so appearing, is hereby  
690 amended by striking out, in line 46 the word “local”.

691 SECTION 26. Section 43 of said chapter 121B of the General Laws, as so appearing, is hereby  
692 amended by striking out, in line 19, the words “the city or town”, and inserting in place thereof  
693 the following:- a city or town in its region .

694 SECTION 27. Said section 43 of said chapter 121B of the General Laws, as so appearing, is  
695 hereby amended by striking out the words “the city or town”, and inserting in place thereof the  
696 following:- a city or town in its region .

697 SECTION 28. Said section 43 of said chapter 121B of the General Laws, as so appearing, is  
698 hereby further amended by striking out, in line 25, the words “of community affairs”.

699 SECTION 29. Said section 43 of said chapter 121B of the General Laws, as so appearing, is  
700 hereby amended by striking out, in line 49, the words “no local housing authority exists or”.

701 SECTION 30. Said section 43 of said chapter 121B of the General Laws, as so appearing, is  
702 hereby amended by striking out, in line 50, the words “no local housing authority exists or”.

703 SECTION 31. Said section 43 of said chapter 121B of the General Laws, as so appearing, is  
704 hereby amended by striking out, in line 71, the words “of community affairs”.

705 SECTION 32. Section 43A of said chapter 121B of the General Laws, as so appearing, is hereby  
706 amended by striking out, in line 4, the word “local”.

707 SECTION 33. Section 43A of said chapter 121B of the General Laws, as so appearing, is hereby  
708 amended by striking out, in line 20, the word “local”.

709 SECTION 34. Section 44 of said chapter 121B of the General Laws, as so appearing, is hereby  
710 amended by inserting, in line 4, after the word “town”, the following:- where the units are  
711 located .

712 SECTION 35. The first paragraph of said section 44 of said chapter 121B of the General Laws,  
713 as so appearing, is hereby further amended by striking out the following word: “(c)”, and  
714 inserting in place thereof the following:- (b).

715 SECTION 36. Said first paragraph of said section 44 of said chapter 121B of the General Laws,  
716 as so appearing, is hereby further amended by striking out the following word: “(d)”, and  
717 inserting in place thereof the following:- (c).

718 SECTION 37. Said section 44 of said chapter 121B of the General Laws, as so appearing, is  
719 hereby further amended by striking out, in lines 44 to 45, the word “local”.

720 SECTION 38. Section 44A of said chapter 121B of the General Laws, as so appearing, is hereby  
721 amended, in line 4, by striking out the words “of community affairs”.

722 SECTION 39. Subsection (d) of section 46 of said chapter 121B of the General Laws, is hereby  
723 amended by inserting, at the end of line 25, the following:- and to enter into, execute and carry  
724 out contracts with any person or organization undertaking a project under chapter 121A .

725 SECTION 40. Section 51 of said chapter 121B of the General Laws, as so appearing, is hereby  
726 amended by striking out, in line 1 the following words “of a city or town”.

727 SECTION 41. Section 51 of said chapter 121B of the General Laws, as so appearing, is hereby  
728 further amended by striking out, in line 2, the following words “such city or town” and inserting  
729 in place thereof the following:- a city or town in the region in which it operates .

730 SECTION 42. Said chapter 121B of the General Laws, as so appearing, as so appearing, is  
731 hereby further amended by inserting after section 59 the following:-

732 Section 60. Notwithstanding any general or special law to the contrary, no housing authority  
733 shall execute any debt instrument, settle any claim nor enter into any contract other than in the  
734 normal course of business and as is consistent with the fiduciary responsibilities of the board of  
735 the municipal housing authority without prior notice and approval of the department.

736 SECTION 43. Section 60 of chapter 121B of the General Laws is hereby repealed.

737 SECTION 44. Notwithstanding any general or special law to the contrary, all municipal  
738 housing authorities shall be dissolved forthwith, by operation of law, subject to the applicable  
739 provisions of section 51 of chapter 155. Notwithstanding the foregoing, on the effective date of  
740 this section, all moneys, real property, furniture, fixtures, supplies, equipment, and rights of the

741 municipal housing authority shall be assigned, transferred and delivered to the housing authority  
742 that operates in the region that incorporates the jurisdiction of the municipal housing authority,  
743 as designated by the department. All contractual obligations, including employment contracts in  
744 effect on December 31, 2012, only to the extent of the terms of such contract on such date, and  
745 indebtedness incurred in the ordinary course of business, as determined by the department, by the  
746 municipal housing authority shall be assumed by such housing authority.

747 SECTION 45. The transfer of employees from a municipal housing authority to a housing  
748 authority shall not be considered an interruption in the employees' service for the purposes of the  
749 applicability of sections 41 to 45, inclusive, of chapter 31 of the General Laws to such employees  
750 pursuant to section 29 of chapter 121B of the General Laws, for any such reassigned employee  
751 who was employed by a municipal housing authority as of January 1, 2012.

752 SECTION 46. Notwithstanding any general or special law to the contrary, sections 1 through 41,  
753 excluding section 5, shall take effect on the later of July 1, 2014 or such date as the secretary of  
754 state has issued a certificate of organization for each housing authority, but in no event later than  
755 January 1, 2015.

756 SECTION 47. Section 5 of this act shall take effect on April 1, 2014.

757 SECTION 48. Sections 42, 44 and 45 of this act shall take effect upon passage of this act.

758 SECTION 49. Section 43 of this act shall take effect on January 1, 2015.